

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID SMITH,

Plaintiff,

-against-

WESTCHESTER COUNTY, et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 09/07/2021

19 CV 3605 (NSR)  
ORDER

NELSON S. ROMÁN, United States District Judge:

On July 7, 2021, the Court issued an opinion and order granting Defendants' motion to dismiss and granting Plaintiff leave to file an amended complaint on or before August 6, 2021, noting that "[i]f Plaintiff fails to file an Amended Complaint by August 6, 2021 and he cannot show good cause to excuse such a failure, the claims dismissed without prejudice by this Order will be deemed dismissed with prejudice, and the case will be closed." (ECF No. 32.) That day, the Clerk of Court mailed the Court's opinion and order to Plaintiff at the address on ECF. Plaintiff has not filed an amended complaint or otherwise communicated with the Court.

Therefore, the claims previously dismissed without prejudice are dismissed with prejudice. The Clerk of Court is directed to mail a copy of this order to *pro se* Plaintiff at the address on ECF, show service on the docket, terminate the motion at ECF No. 33, and terminate this case.

Dated: September 7, 2021  
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN  
United States District Judge